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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,134	04/03/2001	Sanjay S. Talreja	42390P9599	4900

7590 12/02/2004  
 Lester J. Vincent  
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EXAMINER

SONG, JASMINE

ART UNIT	PAPER NUMBER
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2188

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/827,134

**Applicant(s)**

TALREJA ET AL.

**Examiner**

Jasmine Song

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,18 and 19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 1 and 3-11 is/are allowed.  
6) ☒ Claim(s) 18 and 19 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

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## **Detailed Action**

1. This office action is in response to Amendment mailed 09/03/2004 which cancelled claim 2, claims 12-17 are previously cancelled, therefore, Claims 1,3-11 and 18-19 are therefore still pending. All rejections and objections not explicitly repeated below are withdrawn.

## **Specification**

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

## **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al., U.S. Patent 5,867,430, in view of Kuo et al., U.S. Patent 5,995,415 B1.

Regarding claim 18, Chen teaches that an apparatus comprising: means for partitioning a memory array into a fixed first partition (it is taught as the bank receives a

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write command is considered as the first partition of the memory device, col.2, lines 10-11) and a second partition (another bank is accessed by the read operation, col.2, lines 12-14) to enable multiple operations (reading, and programming, erasing (writing operation) to be performed on the memory array at the same time (col.1, last two lines and col.2, lines 10-12); and means for monitoring the operations performed on the memory array (it is taught as a state machine for monitoring the read and write operations on the memory device, col.2, lines 24-26 and col.11, lines 39-42 and col.5, lines 18-23 and lines 38-50).

Chen does not specifically teach that the second partition is variable even he mentions that the memory device is divided into two or more banks (col.1, lines 28-30).

However, Kuo teaches an invention relates to a simultaneous operation flash memory device with a flexible bank partition architecture (col.1, lines 5-7, lines 66 to col.2, lines 2). He teaches the simultaneous operation flash memory device comprises two memory banks (upper bank and lower bank) with variable memory capacities depending upon the selection of a memory partition boundary from a plurality of potential memory partition boundaries (col.12, lines 29-34).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teachings of Kuo in the flash memory system of Chen and employ the teachings of simultaneous operation flash memory device with a flexible bank partition architecture to provide a simplified decoding architecture to simplify the design of decoding circuits (col.1, lines 58-63 and col.3, lines 33-50 and col.12, lines 29-

39). It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a variable bank partition for the advantage stated above.

Accordingly, one of ordinary skill in the art would have recognized this and concluded that they are from the same field of endeavor. This would have motivated one of ordinary skill in the art to implement the above combination for the advantages set forth above.

Regarding claim 19, Chen teaches that further comprising a means for communicating the status of the operations performed on the memory array to a user (it is taught as the state machine monitoring the read and write operations and provide status information to the user).

### **Allowable Subject Matter**

5. Claims 1, 3-11 are allowed.

### **Response to applicant's Arguments**

6. Applicant's arguments filed 09/03/2004, with respect to claims 1,3-11 have been fully considered and are persuasive. The rejections of claims 1,3-11 has been withdrawn.

7. Applicant's arguments with respect to claims 18-19 have been considered but are moot in view of the new ground(s) of rejection.

8. When responding to the office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. 1.111 (c).

9. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasmine Song whose telephone number is 571-272-4213. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on 571-272-4210. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Jasmine Song



Patent Examiner

November 24, 2004



Mano Padmanabhan

11/29/04

Supervisory Patent Examiner

Technology Center 2100

**MANO PADMANABHAN**  
**SUPERVISORY PATENT EXAMINER**